



Patent US231C2
Attorney Docket No. 612,404-377
[formerly DOCKET 265/247]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:
JING CHENG, ET AL.

Serial No.: 09/905,755

Filed: July 13, 2001

For: CHANNEL-LESS SEPARATION OF
BIOPARTICLES ON A BIOELECTRONIC
CHIP BY DIELECTROPHORESIS

Group Art Unit: 1753

Examiner: Jeffrey Thomas Barton

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97–1.98, information relating to the above-identified application is hereby disclosed. The accompanying Form PTO SB/08A provides a listing of documents that may be relevant to the subject application.

02/08/2005 EAREGAY1 00000031 502862 09905755
01 FC:1806 180.00 DA

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

2-3-05
Date of Deposit
IR1:1059231.1

Denise Doss

Name of Person Mailing Paper

Denise Doss
Signature of Person Mailing Paper

It is requested that the Examiner fully consider the art cited in the accompanying Form PTO SB/08A, initial the left-most column of the form adjacent each cited reference, and return a copy for Applicants' records. It is further requested that the art be cited on the cover of any patent issuing from the subject application.

In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above, but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311. Accordingly, the Commissioner is hereby authorized to charge Deposit Account No. 50-2862 for the requisite fee of \$180.00.

In accordance with §1.98(d), copies of some or all of the references listed on the attached Form PTO/SB/08A are not enclosed herewith because they were previously cited by or submitted to the Patent and Trademark Office in prior copending or related applications for which a claim for priority under 35 U.S.C. §120 has been made in the instant application. Accordingly, Applicants will provide duplicate copies in respect of the present case only if the Examiner so desires.

This statement should not be construed as a representation that more material information does not exist or that an exhaustive search of the relevant art has been made. Nor does this statement constitute an admission by Applicants or Applicants' agent that the information provided herein is necessarily prior art to Applicants' invention. Moreover, Applicants reserve the right to establish the patentability of the claimed invention over any of the listed documents should they be applied there-against as references. Please charge any deficiency or credit any overpayment to Deposit Account No. 50-2862.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: 2/2/05

By: David B. Murphy
David B. Murphy
Reg. No. 31,125
Attorneys for Applicant

DBM/dnd

34263

O'Melveny & Myers LLP
114 Pacifica, Suite 100
Irvine, CA 92618-3315
(949) 737-2900

PATENT TRADEMARK OFFICE

Please type a plus sign (+) inside this box → ☐

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/APTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	09/905,755
Filing Date	July 13, 2001
First Named Inventor	Jing Cheng et al.
Group Art Unit	1753
Examiner Name	Jeffrey Thomas Barton
Attorney Docket Number	612404-377 (prev 265/247)

Examiner Initials *	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
	Number	Kind Code ² (if known)		
	US-6,245,508	B1	Heller et al.	06/12/2001
	US-6,254,827	B1	Ackley et al.	07/03/2001
	US-6,518,022	B1	Sosnowski et al.	02/11/2003
	US-6,726,880	B1	Ackley et al.	04/27/2004
	US-2001/0045359	A1	Cheng et al.	11/29/2001
	US-2003/0146145	A1	Krotz et al.	08/07/2003
	US-2004/0011650	A1	Zenhausen et al.	01/22/2004

Examiner Initials *	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T ₆
	Office ³	Number ⁴	Kind Code ⁵ (if known)			

Examiner Initials *	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume—issue number(s), publisher, city and/or country where published.	T ²
	Yang, et al., "An Integrated, Stacked Microlaboratory For Biological Agent Detection With DNA and Immunoassays", Biosensors and Bioelectronics, 17, 2002, 605-618.	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.